

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>STEVE HICKMAN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>DETECTIVE MARZEC, in his</b>	)	<b>CONSOLIDATED</b>
<b>individual and official capacity,</b>	)	
<b>DAVID HUME, IV, TOWN OF</b>	)	<b>Civ. No. 05-811-KAJ</b>
<b>DELMAR, DEPARTMENT OF DRUG</b>	)	<b>Civ. No. 05-839-KAJ</b>
<b>ENFORCEMENT, AGENT TOM</b>	)	
<b>JACOBS,</b>	)	
	)	
<b>Defendants.</b>	)	

**DEFENDANT TOWN OF DELMAR'S MOTION TO DISMISS**

Defendant Town of Delmar, by and through his counsel, Marshall, Dennehey, Warner, Coleman and Goggin, and pursuant to Fed. R. Civ. P. 12(b)(6) respectfully moves this Honorable Court to dismiss Plaintiff's Complaints. In support of this Motion, Defendant respectfully refers this Honorable Court to the accompanying Memorandum of Law. A proposed Order consistent with this Motion is attached hereto.

**MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN**

**BY:** /s/ Daniel A. Griffith  
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Date: June 6, 2006